

Sector #

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents,  
Attn: Box Missing Parts, Washington, D.C. 20231,  
on

PATENT

Attorney Docket No. 17957-000110US

November 17, 1997

TOWNSEND and TOWNSEND and CREW LLP

By Michelle Chan



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	)	
DAVID A. RUDDY et al.	)	Examiner: Unassigned
Serial No.: 08/852,495	)	Art Unit: Unassigned
Filed: May 7, 1997	)	TRANSMITTAL LETTER - RESPONSE
For: POLYMORPHISMS IN THE REGION)	)	<u>TO NOTICE OF MISSING PARTS</u>
OF THE HUMAN	)	
HEMOCHROMATOSIS GENE	)	

Attn: Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Pursuant to the Notice to File Missing Parts of Application - Filing Date Granted dated September 17, 1997, enclosed are the following to be made of record in the above-identified application:

- 1) Executed Declaration and Power of Attorney
- 2) Copy of Notice of Missing Parts
- 3) Sequence Transmittal
- 4) Preliminary Amendment
- 5) Sequence Listing
- 6) Computer Readable Sequence Listing

Please charge Deposit Account No. 20-1430 for the following fees:

(a) Filing Fee (\$ 1.16(a)) (Large Entity)	\$ 790.00
(b) Excess Claims Fees (\$ 1.16(b), (c)):	
<u>28</u> - 20 = <u>8</u> x 22.00 =	176.00
<u>6</u> - 3 = <u>3</u> x 82.00 =	246.00
(c) Missing Parts Surcharge (\$1.16(e))	130.00
<b>TOTAL FEES TO BE CHARGED</b>	<b>\$1,342.00</b>

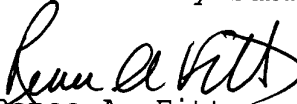
The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency

DAVID A. RUDDY et al.  
Serial No.: 08/852,495  
Page 2

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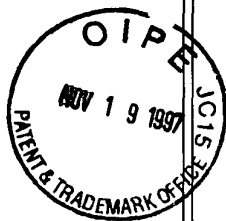
of this application, or credit any overpayment to Deposit Account No. 20-1430 for this paper and during the prosecution of this application. This Transmittal Letter is submitted in triplicate.

Respectfully submitted,

  
Renee A. Fitts  
Reg. No. 35,136

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8th Floor  
San Francisco, California 94111-3834  
(650) 326-2400  
Fax (650) 326-2422  
RAF:mc

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November 17, 1997

TOWNSEND and TOWNSEND and CREW LLP

By Michelle Chan

PATENT

Attorney Docket No. 17957-000110

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	)	
DAVID A. RUDDY et al.	)	Examiner: Not Assigned
Serial No.: 08/852,495	)	Art Unit: Not Assigned
Filed: May 7, 1997	)	<u>TRANSMITTAL OF</u>
For: POLYMORPHISMS IN THE REGION)	)	<u>SEQUENCE LISTING</u>
OF THE HUMAN	)	
HEMOCHROMATOSIS GENE	)	

Box MISSING PART  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Application - Filing Date Granted, mailed September 17, 1997, Applicants hereby submit a Sequence Listing and a Sequence Listing in computer readable form.

Applicants' attorneys attest that the information in the "Sequence Listing" is identical to that which is in computer readable form, as required under 37 CFR §1.821(f). This submission introduces no new matter, since the enclosed sequences are identical to the sequences which were submitted in the original patent application.

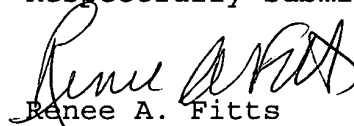
Applicant believes that no fee is required. However, if a fee is required, the Commissioner is authorized to charge such fee to Deposit Account No. 20-1430. Please charge

DAVID A. RUDDY et al.  
Serial No.: 08/852,495  
Page 2

PATENT

any additional fees or credit any overpayment to the above-noted  
Deposit Account.

Respectfully submitted,

  
Renee A. Fitts  
Reg. No. 35,136

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8th Floor  
San Francisco, California 94111-3834  
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Fax (650) 326-2422

RAF:mc

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UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY OF COMMERCE AND  
COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

**NOTICE OF FILING/CLAIM FEE(S) DUE**  
TO ENSURE PROPER CREDIT OF FEES, PLEASE RETURN A COPY OF THIS  
FEE CALCULATION SHEET WITH YOUR RESPONSE.

APPLICATION NUMBER: 08/852,495

**Total Fee Calculation**

Fee Code	Total # Claims	Number Extra	X	Fee	Fee =	Total
Sm./Lg.				Sm. Entity	Lg. Entity	
Basic Filing Fee	<u>201/101</u>				<u>770</u>	<u>770</u>
Total Claims >20	<u>203/103</u>	<u>28</u>	-20 = <u>8</u>	X	<u>22</u>	<u>176</u>
Independent Claims >3	<u>202/102</u>	<u>6</u>	-3 = <u>3</u>	X	<u>80</u>	<u>240</u>
Multi. Dep Claim Present	<u>204/104</u>					
Surcharge	<u>205/105</u>				<u>130</u>	<u>130</u>
English Translation	<u>139</u>					
<b><u>TOTAL FEE CALCULATION</u></b>						<u>1,316</u>

Fees due upon filing the application:

Total Filing Fees Due = \$ 1,316

Less Filing Fees Submitted - \$           

**BALANCE DUE** = \$ 1,316

H. J. McCarver

Office of Initial Patent Examination



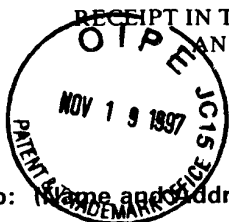
# American Type Culture Collection

12301 Parklawn Drive • Rockville, MD 20852 USA • Telephone: 301-231-5519 or 231-5532 • FAX: 301-816-4366

## BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

### INTERNATIONAL FORM

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3  
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2



To: (Name and Address of Depositor or Attorney)

Mercator Genetics, Inc.  
Attn: Karen J. Brunke, Ph.D.  
4040 Campbell Avenue  
Menlo Park, CA 94025

Deposited on Behalf of: Mercator Genetics, Inc.

Identification Reference by Depositor:

ATCC Designation

Human lymphoblastoid cell line HC14

CRL-12371

The deposit was accompanied by: \_\_\_ a scientific description \_ a proposed taxonomic description indicated above.

The deposit was received June 25, 1997 by this International Depository Authority and has been accepted.

AT YOUR REQUEST: ☒ We will inform you of requests for the strain for 30 years.

The strain will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strain, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strain.

If the culture should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace it with living culture of the same.

The strain will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the culture cited above was tested July 1, 1997. On that date, the culture was viable.

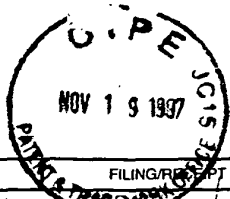
International Depository Authority: American Type Culture Collection, Rockville, Md. 20852 USA

Signature of person having authority to represent ATCC:

Barbara M. Hailey  
Barbara M. Hailey, Administrator, Patent Depository

Date: July 1, 1997

cc: Renee A. Fitts (Ref. Docket 17957-001100)



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
--------------------	---------------------	-----------------------	---------------------------

08/852495

11/7/97

Renee F. B.  
Townsend + Townsend + Crew  
200 Embarcadero Center  
16th floor  
SAN FRANCISCO CA 94111-3834

DATE MAILED: 9/17/97

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. However, the items indicated below are missing. The required items and fees identified below must be timely submitted ALONG WITH THE PAYMENT OF A SURCHARGE for items 1 and 3-6 only of \$ 130.00 for a ☒ large entity ☐ small entity in compliance with 37 CFR 1.27. The surcharge is set forth in 37 CFR 1.16(e). Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☒ large entity ☐ small entity (verified statement filed), is \$ 1316.00.

- ☒ 1. The statutory basic filing fee is:  
☐ missing.  
☐ insufficient.

Applicant must submit \$ 770.00 to complete the basic filing fee and/or file a verified small entity statement claiming such status (37 CFR 1.27).

- ☒ 2. Additional claim fees of \$ 416.00, including any multiple dependent claim fees, are required.  
Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☐ 3. The oath or declaration:  
☐ is missing.  
☐ does not cover the newly submitted items.  
☐ does not identify the application to which it applies.  
☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☒ 4. The signature(s) to the oath or declaration is/are:  
☒ missing.  
☐ by a person other than inventor or person qualified under 37 CFR 1.42, 1.43, or 1.47.  
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$ \_\_\_\_\_ processing fee is required since your check was returned without payment (37 CFR 1.431(m)).  
☐ 7. Your filing receipt was mailed in error because your check was returned without payment.  
☐ 8. The application does not comply with the Sequence Rules.  
See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."  
☐ 9. OTHER:

Direct the response and any questions about this notice to "Attention: Box Missing Parts."

*[Signature]*  
**A copy of this notice MUST be received with the response.**

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

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11/16/1997 JTTPETT 00000003 DA#120430  
1 FC:101 790.00 CH  
2 FC:102 246.00 CH  
3 FC:103 176.00 CH  
4 FC:105 130.00 CH